IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 556 of 2001
with
APPEAL FROM ORDER No 554 of 2001

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

KUNVAR AJAY DESIGNER SAREES PVT. LTD.

Versus

SHYAM CREATIONS

Appearance:

1. Appeal from Order No. 556 of 2001
MR HARSHIT S TOLIA for Appellant No.
MR SV RAJU for Respondent No. 1

2. Appeal from Order No. 554 of 2001
MR HARSHIT S TOLIA for Appellant No.
MR SV RAJU for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 10/02/2005

ORAL JUDGEMENT

1. The appellants have preferred this appeal from orders being aggrieved by the order dated 18th June, 2001 passed below application exh.5 by the learned 2nd Joint District Judge, Surat in Civil Suit No.26 of 2000 and

Civil Suit No. 13 of 2000, whereby the said applications were rejected.

2. While admitting these Appeal from Orders, this Court in Civil Application No. 13254 of 2001 and Civil Application No. 13252 of 2001 had directed the parties to maintain status quo. Now, as status quo is operating since 2002, it would be appropriate to direct the parties to maintain status quo till the suits pending before the said Court are finally disposed of.

3. I have heard learned counsel for the parties and have perused the relevant documents on record. In view of the facts and circumstances of the case, I am of the opinion that ends of justice would be met if the trial Court is directed to expedite the hearing of the said suits while continuing the status quo granted by this Court.

4. Therefore, without entering into the merits of the matter, the trial Court is directed to hear and dispose of Civil Suit No. 26 of 2000 & Civil Suit No. 13 of 2000, without being influenced by the earlier order as well as present order, pending before the Court of the learned 2nd Joint District Judge, Surat, as expeditiously as possible and preferably within a period of one year from the date of receipt of writ of this order.

5. With the above observations and directions, the Appeal from Orders stand disposed of. Parties are directed to maintain status quo till the said suits are finally disposed of. Office is directed to send writ of this order forthwith.

[K. S. JHAVERI, J.]
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